

Dept. of Plant and Microbial Biology, 421 Koshland Hall, UC Berkely.
Berkeley, CA 94720-3102

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled *Heavy Metal Phytoremediation*, described in the specification filed herewith.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

Please direct all telephone calls to Richard Osman (650) 343-4341 and address all correspondence to: Science & Technology Law Group, 75 Denise Drive, Hillsborough, CA 94010

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First joint inventor:

Norman Terry

Inventor's signature: _____

Date: _____

Residence (city & state):

Berkeley, CA

Citizenship:

USA

Mailing Address:

Dept. of Plant and Microbial Biology, 421 Koshland Hall, UC Berkely,
Berkeley, CA 94720-3102

Second joint inventor:

Elizabeth Pilon-Smits

Inventor's signature: EPS

Date: 7-30-99

Residence (city & state):

Fort Collins, CO

Citizenship:

USA The Netherlands EPS

Mailing Address:

Dept. of Biology, Colorado State University, E413 A/Z Building, Fort
Collins, CO 80523

Third joint inventor:

Yong Liang Zhu

Inventor's signature: _____

Date: _____

Residence (city & state):

Berkeley, CA

Citizenship:

China

Mailing Address:

Dept. of Plant and Microbial Biology, 421 Koshland Hall, UC Berkely,
Berkeley, CA 94720-3102

Applicant: Terry et al.
Serial No.: Not assigned
Filed: Herewith
Group: Not assigned

POWER OF ATTORNEY BY ASSIGNEE

To the Assistant Commissioner for Patents:

The undersigned assignee of the entire interest in application for letters patent entitled: *Heavy Metal Phytoremediation* and having the named inventor(s): Norman Terry, Elizabeth Pilon-Smits and Yong Liang Zhu described in the application filed herewith, hereby appoints Richard Aron Osman, Ph.D. (Reg No 36,627) to prosecute this application and to transact all business in the United States Patent and Trademark Office in connection therewith.

Please direct all correspondence and telephone calls to: Richard Aron Osman, Ph.D. at 75 Denise Drive, Hillsborough, CA 94010; tel. (650) 343-4341.

In accordance with 37 CFR §3.73 the assignee submits herewith for recordation an assignment from the inventors to the undersigned assignee and hereby certifies that the evidentiary documents with respect to their ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application nor any patent issuing thereon.

By: The Regents of the University of California
1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200

Name: William A. Hoskins

Title: Director, Office of Technology Licensing
2150 Shattuck Ave., Suite 510, Berkeley, CA 94704-1620

Signature: William A. Hoskins

Date: JUL 30, 1999

650343-4341

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: The Regents of the University of California
Address of Organization: 1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200

TYPE OF ORGANIZATION

- ☒ University or other Institution of Higher Education
☒ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under Statute of State of the U.S.A. (Name of State _____) (Citation of Statute _____)
☐ Would qualify as nonprofit scientific or educational under Statute of State of the U.S.A. if located in the U.S.A. (Name of State _____) (Citation of Statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) or (b) of Title 35, United States Code, with regard to the invention entitled: *Heavy Metal Phytoremediation*, and having the named inventor(s): Norman Terry, Elizabeth Pilon-Smits and Yong Liang Zhu, described in [X] the specification filed herewith.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization having rights to the invention as listed below* and no rights to the invention are held by any person other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name/Title: William A. Hoskins, Director Office of Technology Licensing
Address: 2150 Shattuck Avenue, Ste. 510 Berkeley, CA 94704-1620

Signature: [Signature] DATE JUL 30, 1999